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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/992,920	11/14/2001	Douglas A. Wright	11694/04144	6977

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EXAMINER

EDWARDS, LAURA ESTELLE

ART UNIT	PAPER NUMBER
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1734

DATE MAILED: 02/28/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/992,920

Applicant(s)

WRIGHT ET AL.

Examiner

Laura E. Edwards

Art Unit

1734

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-35 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 32 and 33 is/are allowed.
- 6) ☒ Claim(s) 1, 3, 6, 7, 13-17, 21-25, and 27-30 is/are rejected.
- 7) ☒ Claim(s) 2, 4, 5, 8-12, 18-20, 26 and 31 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 6.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: .

***Claim Rejections - 35 USC § 112***

Claim 17 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 17, Applicants recite a process limitation to the way in which the nozzle operates to dispense liquid onto the substrate, however, it is unclear how this results when there is no control means or member to effect such a function. This claim would recite a structural limitation if the dispenser was --configured for dispensing,...-- or --constructed and arranged for dispensing,...-- or --further included means for effecting dispensing,...--. Clarification is necessary.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the

Art Unit: 1734

reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1, 3, 6, 7, 13-17, and 34 are rejected under 35 U.S.C. 102(b) as being anticipated by Naeser et al (US 4,182,263).

Naeser et al teach a fluid dispensing apparatus comprising at least two nozzles (R01-R04) disposed in a respective nozzle block aperture (GH), a web or material (VD) that is porous for liquid material dispensed from each nozzle, the porous material being dispensed between each nozzle block aperture and a substrate, each nozzle being operable to dispense liquid material on to the substrate by contact between the porous material and the substrate (See Fig. 2).

With respect to claim 3, see support surface (HD).

With respect to claim 6, see channels (K1-K4).

With respect to claim 7, see pump (PM) to supply pressurized liquid material.

With respect to claim 13, inherently the web (VD) is felt because felt is the standard wicking material used to apply fuser oil in the fuser roll art.

With respect to claim 14, see flow regulator or valve (V).

With respect to claims 15 and 16, see supply reel (VR) and take-up reel (AR) in Fig. 1.

With respect to claim 17, this claim has been given no patentable weight because a positive structural limitation has not been set forth.

Claims 21-25 and 27-29 are rejected under 35 U.S.C. 102(b) as being anticipated by Kurcz et al (WO 99/59739).

Art Unit: 1734

Kurcz et al teach a fluid dispensing apparatus for applying liquid material to a substrate comprising at least one liquid dispensing nozzle (34) disposed within a rub block (33), a web of material (14) disposed against the rub block and the web being porous to liquid material dispensed from the nozzle, the porous material being supported on the rub block, the nozzle being operable to dispense liquid material onto a surface of the substrate by contact between the porous material and the substrate with the liquid material flowing through the porous material to the substrate, wherein the rub block can move relative to the substrate as desired by a robotic device including an end effector (20).

With respect to claims 22 and 23, see Fig. 2A and ball (34b) and socket (34a) coupling.

With respect to claim 24, inherently, an elastomeric seal is evidenced by the embodiment in Fig. 2A wherein the ball (34b) fits snugly into the [elastomeric] socket (34a) or rub block. The socket (34a) stretches over the ball (34b).

With respect to claim 25, nozzle is mounted to the end effector (20) which is moved as desired relative to the substrate to be coated.

With respect to claim 27, see nozzle (34) and rub block (34a).

Claims 34 and 35 are rejected under 35 U.S.C. 102(b) as being anticipated by Keys (US 4,622,241).

Keys teaches a flow through liquid dispensing apparatus comprising at least one dispensing device comprising a nozzle (32) for dispensing liquid material, a porous material (66) that can be positioned in contact with a surface (80) during a dispensing operation wherein liquid material dispensed from the nozzle flows through the porous material to the surface, and a flow

Art Unit: 1734

pressure regulator (30) used in combination with a flow meter (26) for controlling fluid flow and or volume of liquid dispensed from the nozzle.

Claims 27, 29, and 34 are rejected under 35 U.S.C. 102(e) as being anticipated by Johnson (US 6,228,168).

Johnson teaches a dispensing head comprising a nozzle (92) having a main body with an outlet orifice (102a) formed therein and a rub block (96) mountable on the nozzle main body for articulated movement therewith.

With respect to claim 29, see porous material (13b).

With respect to claim 34, Johnson teaches a flow through liquid dispensing apparatus comprising at least one dispensing device comprising a nozzle (92) for dispensing liquid material, a porous material (13b) that can be positioned in contact with a surface (15) during a dispensing operation wherein liquid material dispensed from the nozzle flows through the porous material to the surface, and a flow pressure regulator (40) for controlling fluid flow and or volume of liquid dispensed from the nozzle.

Claims 27, 29, 30, and 34 are rejected under 35 U.S.C. 102(e) as being anticipated by Krueger (US 6,471,774).

Krueger teaches a dispensing head comprising a nozzle (47) having a main body with an outlet orifice (not numbered) formed therein and a rub block (141) mountable on the nozzle main body for articulated movement therewith.

Art Unit: 1734

With respect to claim 29, see porous material (147) in recess (dotted lines) in rub block (141).

With respect to claim 30, see needle valve (48).

With respect to claim 34, Krueger teaches a flow through liquid dispensing apparatus comprising at least one dispensing device comprising a nozzle (47) for dispensing liquid material, a porous material (13b) that can be positioned in contact with a surface (71) during a dispensing operation wherein liquid material dispensed from the nozzle flows through the porous material to the surface, and a flow pressure regulator (48) for controlling fluid flow and or volume of liquid dispensed from the nozzle.

#### ***Allowable Subject Matter***

Claims 32-33 would be allowable.

Claims 2, 4, 5, 8-12, 18-20, 26, and 31 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

#### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Laura E. Edwards whose telephone number is (703) 308-4252.

The examiner can normally be reached on M-Th/First Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Crispino can be reached on (703) 308-3853. The fax phone numbers for the

Application/Control Number: 09/992,920

Page 7

Art Unit: 1734

organization where this application or proceeding is assigned are (703) 305-7115 for regular communications and Same as above for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0661.



Laura E. Edwards  
Primary Examiner  
Art Unit 1734

le  
February 22, 2003